REMARKS/ARGUMENTS

Enclosed herewith is a Terminal Disclaimer with regard to co-pending Patent Application No. 09/973,579 filed October 9, 2001. Accordingly, it is respectfully submitted that the rejection of pending claims 1-2, 7-12 and 16-20 under obviousness-type double patenting is overcome. For the same reasons, the obviousness-type double patenting rejection of pending claims 21-27 is also overcome.

Pending claims 1-2, 7-12 and 16-27 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2002/0059434 (Karaoguz) in view of U.S. Patent No. 6,603,915 (Glebov). Applicant respectfully traverses the rejection.

With regard to claim 1, the Office Action concedes that Karaoguz does not teach either integration of analog and digital portions on a single substrate, nor multiple digital signal processors (DSPs) and central processors of a reconfigurable processor core. Instead, the Office Action purports to rely on Glebov. This reliance is misplaced for several reasons. First, Glebov nowhere teaches or suggests integrating analog and digital circuitry on a single integrated circuit (IC) as recited by amended claim 1. Instead, Glebov merely teaches that a multi-chip module (MCM) may include multiple ICs. Glebov, col. 3, lns. 10-23. Nowhere however does Glebov teach or suggest that a single IC includes analog and digital portions. Nor does Glebov teach or suggest a single IC with a reconfigurable processor core, nor such a core having multiple central processors and DSPs. Instead, any mention of multiple processors in Glebov is directed to different ICs and even different mainframe computers. Glebov, col. 8, lns. 16-19.

Second, it is improper to combine Karaoguz and Glebov, as there is no motivation to make this combination. In this regard, Karaoguz, which is directed to a wireless communication device, has no bearing on an optical interconnect for a multi-chip module, as taught by Glebov. Nor is there any teaching or suggestion in either reference of any manner in which the device of Karaoguz could be incorporated into the optical interconnect of Glebov. The mere statement that "it would have been obvious for a person skilled in the art...to integrate said analog and said digital portion on the same substrate..." (Office Action, p. 6) utterly fails to provide any legally proper motivation to combine the references. *See In re Lee*, 61 U.S.P.Q.2d 1430, 1435 (Fed. Cir. 2001). This is particularly so, as Glebov nowhere teaches the alleged integration as discussed above.

Instead it is clear that the Office Action has engaged in the hindsight-based obviousness analysis that has been widely and soundly disfavored by the Federal Circuit. In order to prevent a hindsight-based obviousness analysis, the Federal Circuit requires that "to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant." *In re Kotzab,* 55 U.S.P.Q.2d 1313, 1316-17 (Fed Cir. 2000). No such showing is present here. For these reasons, claim 1 and the claims depending therefrom are patentable over the proposed combination.

Pending claims 9 and 10 are further patentable, as neither of the references teach or suggest a router that can send packets in parallel through different pathways, or primary and secondary communication channels. In this regard, the Office Action refers to network selector 64 of Karaoguz. However, Karaoguz instead teaches that network selector 64 is merely to "route signals from one component to another." Karaoguz, ¶42. Accordingly, neither network selector 64 nor any other portion of Karaoguz teaches or suggests routing packets *in parallel* through different pathways or channels. For this further reason, claims 9 and 10 are patentable over the proposed combination.

Claim 11 is patentable at least for the same reasons discussed above regarding claim 1. Accordingly claim 11 and the claims depending therefrom are patentable over the proposed combination. For the further reasons discussed above regarding claims 9 and 10, dependent claims 19 and 20 are also patentable over the proposed combination.

Pending claim 21 and its dependent claims, including new dependent claim 29, are patentable at least for the same reasons discussed above regarding claim 1, as there is no basis for the proposed combination.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

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